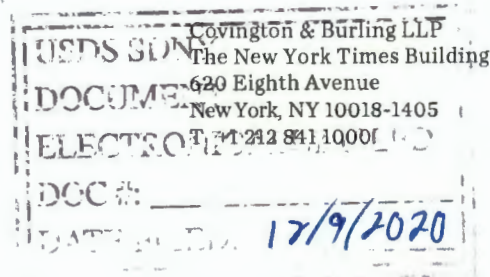


**COVINGTON**

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG  
LONDON LOS ANGELES NEW YORK SAN FRANCISCO  
SEOUL SHANGHAI SILICON VALLEY WASHINGTON

**By ECF**

December 9, 2020

The Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, N.Y. 10007-1312

Re: U.S. v. Arik Lev  
1:20-cr-440-JGK

Dear Judge Koeltl:

*Application denied without prejudice to reneval. The application appears inconsistent with Government guidance against non-essential travel at this time and there are no explanations as to how the defendant will comply with necessary quarantine restrictions. 50 orders for G/Koeltl/ U.S.D.S. 12/9/20*

I represent the defendant Arik Lev in the above-referenced matter. I write to request a temporary modification of one of Mr. Lev's bail conditions.

On December 17, 2019, Mr. Lev was arrested pursuant to a complaint alleging violations of 18 U.S.C. §§ 1028A and 1349. That day, Mr. Lev was released on bail – specifically, a \$100,000 personal recognizance bond, with the conditions (as relevant here) that he surrender any travel documents and not apply for others, and that his travel be limited to New York and New Jersey. (ECF No. 5.) Mr. Lev's only travel document (his passport) was taken from him by the government at the time of his arrest, and he has not applied for any others since then. Since that time, Mr. Lev's bail conditions were modified by Your Honor to authorize him to travel for business purposes to Pennsylvania as well as the Southern District of Florida. (ECF No. 42.)

Mr. Lev is married and the father of five children -- ages 5, 10, 18 and 21-year-old twins -- all but one of whom reside with him and his wife in Brooklyn. He is a permanent resident alien, and has lived in this country for over 20 years. His wife is a U.S. citizen, as are all five of his children. His children have lived in the United States all of their lives.

One child -- his 18-year-old daughter Emily -- now lives in Los Angeles, California. She has been living there since September of this year, and Mr. Lev has not seen her in person since that time. Mr. Lev wishes to travel to Los Angeles so that he may assist his daughter in both applying for employment as well as to colleges in the Los Angeles area, and also spend the holiday of Chanukah (which lasts from December 11 through 18) with her. He proposes to return to his home in Brooklyn no later than Friday December 21.

**COVINGTON**

The Honorable John G. Koeltl  
December 9, 2020  
Page 2

If permission to travel to California is granted, Mr. Lev would provide all of his travel information, as well as the location where he would be staying, to the government and Pre-Trial Services prior to his departure. He also would remain available at all times to be contacted by Pre-Trial Services, while in California.

Based on all of the foregoing, I respectfully request that Mr. Lev's bail conditions be temporarily modified to permit him to travel to California, pursuant to all of the conditions set forth above.

I have conferred with Jacob Fiddelman, Esq. (on behalf of the U.S. Attorney's Office) and Dayshawn Bostic (on behalf of Pre-Trial Services) regarding this request. Mr. Fiddelman informed me that the government has no objection to this request so long as Pre-Trial Services approves of the request. Mr. Bostic informed me that Pre-Trial Services has no objection to this request.

I thank the Court for its consideration of this request.

Respectfully submitted,

*/s/ Alan Vinegrad*

Alan Vinegrad

cc (by email):

All counsel of record

Mr. Dayshawn Bostic  
Pre-Trial Services